



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

SW

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,056	10/06/2003	Shia Chung Chen	13972 B	6758

7590 12/14/2004

CHARLES E. BAXLEY, ESQUIRE  
Third Floor  
90 John Street  
New York, NY 10038

EXAMINER

HOANG, TU BA

ART UNIT PAPER NUMBER

3742

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/680,056	Applicant(s) CHEN, SHIA CHUNG	
	Examiner Tu Ba Hoang	Art Unit 3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

Art Unit: 3742

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a) because they fail to show cooling passages (12) and (24) as described in the specification (i.e., page 5, line 15). Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it is incomplete. It is noted that there is perhaps a missing text followed the phrase "inside the die contact pa" at the end. Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because it includes terminology which is so different from that which is generally accepted in the art to which this invention pertains. For example: "high cycle wave magnetism", "magnetism insulation", and "magnetism inducted".

Applicant is required to provide a clarification of these matters or correlation with art-accepted terminology so that a proper comparison with the prior art can be made. Applicant should be careful not to introduce any new matter into the disclosure (i.e.,

Art Unit: 3742

matter which is not supported by the disclosure as originally filed). It is suggested that the phrase "high cycle wave magnetism" to be replaced by "high frequency electromagnetic field", the phrase "magnetism insulation" should be "magnetic shield", and in general, the term "magnetism" should be "electromagnetic fields" or simply "magnetic fields".

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In general, the use of phrases "high cycle wave" and "high cycle wave magnetism" through the claim renders the claim indefinite as for the same reasons set forth in the objection to the specification above. Appropriate corrections are suggested.

Furthermore, it is noted that claim 1 was intended to be an article (i.e., apparatus or device) claim. However, the phrase "jog said inductive heating coil properly in order to..." recited at lines 5-6 appears to be a process step which would create confusion and therefore renders the claim indefinite. It is also unclear what would be considered "properly" jogging or running the coil "in order" to perform or provide the functional recitation of "let the high cycle wave magnetism takes effect on a die contact part". The term "properly" is considered a relative term which renders the claim indefinite since it is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. The following changes are suggested: the preamble "A device for instantly pre-heating dies uses" should be read as "An instantly pre-heating device comprising first and second dies, each has a die surface including a die contact part,"; the phrase "an inductive heating coil" (lines 1-2) should be read as "a movable inductive heating coil"; the phrase "to induct high cycle wave magnetism" (line 2) should be read as "for generating high frequency magnetic fields"; the phrase "moved" (line 3) should be "moved and jogged"; the term "a" (line 3) should be read as "said"; the phrase "jog said inductive heating coil properly in order to let the high cycle wave magnetism takes effect on a die contact part," (lines 5-7) should be deleted; and the phrase "so that said die contact part can be" (line 7) should be "so that said die contact parts are".

It is noted that the above suggested changes are only for clarification purposes and the Applicant is in title on his/her full right to amend the claim in different manner as so desired.

Additionally, in claim 2, there are insufficient antecedent bases for "said die contact part" (line 2), "said die surfaces" (line 3), and "Said inductive heating coil" (line 9) in the claim. The phrase "accordingly, pre-heating .....smoothly inside said die contact part" (lines 17-19) should be deleted because this phrase is merely the intended

Art Unit: 3742

operational language which does not contribute any patentable weight to the claim but confusion.

In claim 3, "holes" recited at line 5 renders the claim indefinite because such "holes" have not yet been defined since there is no indication that the die contact part has or includes any holes. The phrase "could also be" (line 2) should be changed to "is" for a positive recitation (also note in claims 4, 8, and 9).

Claim 4 is indefinite as for the same reason set forth in claim 1 above noting the phrase "can jog...", "proper position", and "more evenly distributed....".

Additionally, in claim 6, there are insufficient antecedent bases for "said first and second dies" recited at lines 1-2, "said die contact part" recited at lines 2-3, "said inlet hole" recited at line 3, "said die surfaces" recited at lines 3-4, "said die contact parts" recited at line 5, "the melted plastic" recited at lines 5-6, and "said mechanical arm" recited at lines 10-11 in the claim. The phrase "will then being moved" recited at line 11 should be changed to "is" for positive recitation. Appropriate changes are also suggested in the same manner set forth in claim 2 above.

Claim 8 is indefinite as for the same reason set forth in claim 3 above.

In claim 9, "said inductive heating coil" recited at line 4 lacks antecedent basis in the claim or from the preceding claim since there are two of them. It is unclear for which one that Applicant refers to. claim 9 is also vague as for the same reason set forth in claims 1 and 4 above. Appropriate correction is needed.

All claims must be carefully reviewed and appropriate corrections are strongly suggested because the claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Marini (US 3,689,728), Kasper (US 3,731,040), Murray et al (US 5,338,497), and Yim (US 6,638,048).

Claims 1-10 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.


The following is a statement of reasons for the indication of allowable subject matter: none of the prior art of record shows or fairly suggest the use of at least an induction heating coil which is moved independently between the dies or moved and disposed between the die surfaces. It is noted that while Marini reference discloses a movable support such as cart or dolly which supports a mold press having parallel plates and a non-contacting high frequency coupling coil or capacitor plate and a swingable arm carries a matching coupling coil, the matching coil is moved within a loop path to engage in coupling relationship with the coupling coil. However, neither the loop path or the coupling coil is moved or disposed between the parallel plates.

Art Unit: 3742

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tu Ba Hoang whose telephone number is (571) 272-4780. The examiner can normally be reached on Mon-fri from 8:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on (571) 272-4777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tu Ba Hoang  
Primary Examiner  
Art Unit 3742

December 09, 2004